

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MICHAEL THRASHER,

Plaintiff,

V.

RICK GARLAND *et al.*

Defendants.

Case No. C04-5772FDB

ORDER ADOPTING
REPORT AND
RECOMMENDATION

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

The Magistrate Judge recommends that this action be dismissed without prejudice for failure to exhaust available administrative remedies. Plaintiff responds that he has tried to appeal to the next levels, “but they refuse to respond.”

The record demonstrates that Plaintiff has filed eleven grievances and is thus, well aware of the grievance system, but there is nothing to show that he has appealed the grievances at issue herein.

The Court, having reviewed, the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the report and recommendation, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) The complaint is **DISMISSED WITHOUT PREJUDICE** for failure to exhaust administrative remedies.
- (3) The Clerk is directed to send copies of this Order to plaintiff, and to the Hon. Karen L. Strombom.

DATED this 12th day of July 2005.

2005. 
FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE